

Public Notice – Amendment of Water Quality Management Planning Regulation

Notice of action: The State Water Control Board (Board) is considering the amendment of the regulation on water quality management planning in accordance with the Public Participation Procedures for Water Quality Management Planning. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

Purpose of notice: The Board is seeking comments through the Department of Environmental Quality on the proposed amendment. The purpose of the amendment to the state's Water Quality Management Planning Regulation (9 VAC 25-720) is to adopt twenty-four Total Maximum Daily Load (TMDL) waste load allocations.

Public comment period: March 3, 2008 to April 2, 2008

Description of proposed action: DEQ staff will propose amendments of the state's Water Quality Management Planning regulation for the Potomac-Shenandoah River Basin (9 VAC 25-720-50.A), the Tennessee-Big Sandy river Basin (9 VAC 25-720-90.A), and the New River Basin (9 VAC 25-720-130.A). Statutory authority for promulgating these amendments can be found in §62.1-44.15(10) of the Code of Virginia.

Staff intends to recommend 1) that the board approve three TMDL reports as the plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, 2) that the Board authorize inclusion of four TMDL reports Plan (A fourth report – *"Total Maximum Daily Loads For Polychlorinated Biphenyls (PCBs) Tidal Potomac & Anacostia River Watershed in the District of Columbia, Maryland and Virginia"* was previously approved by the Board on October 31, 2007) in the appropriate Water Quality Management, and 3) that the Board adopt twenty-four TMDL waste load allocations as part of the state's Water Quality Management Planning Regulation in accordance with §2.2-4006A.4.c. and §2.2-4006B of the Code of Virginia.

The four TMDL reports were developed in accordance with federal regulations (40 CFR §130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The reports were subject to the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDLs presented under this public notice. The approved reports can be found at

<https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.aspx>

Affected Waterbodies and Localities:

Potomac - Shenandoah River Basin (9 VAC 25-720-50.A):

“Total Maximum Daily Loads for the Polychlorinated Biphenyls (PCBs) Tidal Potomac & Anacostia River Watershed in the District of Columbia, Maryland and Virginia”-

-Accotink Bay, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0992 G/YR.

-Aquia Creek, located in Stafford County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 6.34 G/YR.

-Belmont Bay/Occoquan Bay, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.409 G/YR.

-Chopawamsic Creek, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 1.35 G/YR.

-Coan River, located in Northumberland County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0 G/YR.

-Dogue Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 20.2 G/YR.

-Fourmile Run, located in Arlington, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 11.0 G/YR.

-Gunston Cove, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.517 G/YR.

-Hoof Run & Hunting Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 36.8G/YR.

-Little Hunting Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 10.1 G/YR.

-Monroe Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0177 G/YR.

-Neabsco Creek, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 6.63 G/YR.

-Occoquan River, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 2.86 G/YR.

-Pohick Creek/Pohick Bay, located in Fairfax County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 13.5 G/YR.

-Potomac Creek, located in Stafford County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.556 G/YR.

-Potomac River-Fairview Beach, located in King George County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0183 G/YR.

-Powells Creek, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0675 G/YR.

-Quantico Creek, located in Prince William County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.742 G/YR.

-Upper Machodoc Creek, located in King George County, proposes PCB reductions for portions of the watershed and provides PCB wasteload allocation of 0.0883 G/YR.

Tennessee-Big Sandy river Basin (9 VAC 25-720-90.A):

“General Standard (Benthic) Total Maximum Daily Load Development for Garden Creek”

–Garden Creek Benthic TMDL, located In Buchanan County, proposes Chloride reductions for portions of the watershed and provides a Chloride wasteload allocation of 358,000 KG/YR.

-Garden Creek Benthic TMDL, located In Buchanan County, proposes TDS reductions for portions of the watershed and provides a TDS wasteload allocation of 474,000 KG/YR.

“General Standard (Benthic) Total Maximum Daily Load Development for Knox Creek and PawPaw Creek”

–Knox Creek Benthic TMDL, located In Buchanan County, proposes TDS reductions for portions of the watershed and provides a TDS wasteload allocation of 1,110 T/YR.

–PawPaw Creek Benthic TMDL, located In Buchanan County, proposes sediment reductions for portions of the watershed and provides a sediment wasteload allocation of 4.99 T/YR.

New River Basin (9 VAC 25-720-130.A):

“General Standard (Benthic) Total Maximum Daily Load Development for Laurel Fork”

–Laurel Fork Benthic TMDL, located in Sussex County, proposes sediment reductions for portions of the watershed and provides a sediment wasteload allocation of 21 T/YR.

How to comment: The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

To review documents: The TMDL reports and the proposed regulatory amendments are available on the DEQ web site at <https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.aspx> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information:

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